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CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department

Planning Board

May 17, 2023

Project Summary – Major Site Plan (RSA 674:54)

Project: Canal Street Riverfront Park (2023-107)
Property Owners: City of Concord
Address: 11 Canal Street
Map/Block/Lot: 0543P/ 18

Determination of Completeness

Determine this application complete and set the public hearing for the June 21, 2023, Planning Board meeting. As part of the motion, indicate that the project meets the criteria for a Development of Regional Impact (DRI), per RSA 36:55, due to the proximity of the development to the municipal boundaries of Boscawen, and location adjacent to a surface water (Contoocook River) that transcends municipal boundaries.

Project Description:

The applicant is proposing to construct a new riverfront park with overlook structures on the Contoocook River, a pavilion, improved parking, and walking paths at 11 Canal Street in Penacook. This project also includes streetscape improvements along Canal Street, including a 10-ft wide multi-use path, parallel parking, and traffic calming bump-outs. The streetscape work will be completed by the City of Concord General Services Division as part of the annual paving program, which is currently underway in Penacook Village. In addition, some of the improvements associated with this project are located on adjacent private property owned by Briar Hydro Associates and the Caleb Penacook Limited Partnership in accordance with easements held on said properties by the City.

Project Details:

Zoning: Opportunity Corridor Performance (OCP) and Central Business Performance (CBP) District

Existing Use: Vacant land and public parking
Proposed Use: Municipal park and public parking

1. General Comments

- 1.1 The City of Concord is proposing to renovate the property for continued municipal use; therefore, RSA 674:54 Governmental Land Uses applies.

- 1.2 The following comments pertain to the site plan set titled “Site Development Plans for Canal Street Riverfront Park, Concord, NH” prepared by GPI, latest revision dated April 19, 2023.
- 1.3 The applicant is scheduled to go before the Architectural Design Review Committee at their June 6, 2023 meeting, and before the Conservation Commission at their June 14, 2023 meeting to present the project.
- 1.4 The project has been presented to the Penacook Village Association, the Recreation & Parks Advisory Committee, the Transportation Advisory Committee (TPAC), and the City Council. In addition, the City’s project manager and design team have been collaborating with the Planning and Engineering Divisions of the Community Development Department, as well as other City departments, throughout the design development process.
- 1.5 Additional Planning and Engineering Division comments are forthcoming and will be provided to the Board for the June Public Hearing.
- 1.6 The property is a former Brownfield site, which was once part of the former Allied Leather Tannery and Amazon Realty properties. Extensive environmental cleanup was completed in 2014 with support from the NH Department of Environmental Services (NHDES) and US Environmental Protection Agency (USEPA). On December 12, 2017, the NHDES issued a Certificate of Completion for the property. However, the property remains subject to certain NHDES environmental controls, including a Covenant Not to Sue, Groundwater Management Permit, as well as an Activity and Use Restriction. The proposed park project complies with all NHDES environmental controls. Additionally, a NHDES approved Soil Management Plan will be prepared for the property to regulate management of contaminate soils should said materials be encountered during construction of the park improvements. The City’s on-call environmental engineer for the former Allied Leather Tannery project has been engaged to monitor construction activities to ensure compliance with applicable NHDES and USEPA requirements.

2. Conditional Use Permit, Variance, and Waivers

- 2.1 Per RSA 674:54(II), the planning board may issue nonbinding written comments relative to conformity or nonconformity of the proposal with normally applicable land use regulations. The following Conditional Use Permits (CUPs) and variance would be required if the project was under standard review for a non-governmental use.
- 2.2 The Applicant is requesting a CUP in accordance with **Section 28-3-2(e) of the Zoning Ordinance (ZO) for Encroachments in the Floodway**. A portion of regrading for the accessible pedestrian paths and scenic overlooks are located within the mapped floodway. The grading associated with the placement of the new structures is minimal, and no fill will be placed within the Contoocook River nor in the adjacent floodplain; therefore, there will be no adverse impact to the flood carrying capacity. Further, proposed regrading within the floodway is occurring immediately upriver of the dam, which regulates water levels. The work proposed within the mapped floodway for this project will not result in an increase in flood levels or the frequency of flooding therefore there will be no increased hazard to life and property.

In accordance with Section 28-3-2(e), staff supports the proposed park development within the floodway. The use is specifically authorized in this Ordinance as a conditional use, and the development will comply with all requirements of the Ordinance.

- 2.3 The Applicant is requesting a CUP in accordance with Section 28-3-3(f) for disturbance of buffers within the Shoreland Protection District, to allow the construction of walkways, two

scenic overlooks, minor regrading, and landscaping within the Shoreland Buffer of Contoocook River. The proposed project scope includes shoreland restoration which will protect the waters from degradation.

In accordance with 28-3-3 and 28-9-4(b)(4), staff supports the proposed park development within the Shoreland Protection District. The proposed use is specifically authorized in this Ordinance as a conditional use, and the development will comply with all requirements of the Ordinance. Further, the project will restore the vegetative buffer on a brownfield site, and will have a positive environmental impact on the Contoocook River.

2.4 The following variances to the Zoning Ordinance would be required under standard review:

- 28-7-7 Parking Area Design Standards. The standard parking space requirement is 9 ft x 19 ft. The design shows the spaces at 9 ft by 18 ft.

3. Planning Staff Review Comments

3.1 Staff recommends that the applicant provide a revised lighting plan, including light fixture details.

3.2 The City's standard details for tree and shrub plantings should be added to the Detail sheets.

3.3 Revised plans should include the proposed bus stop and shelter, once the design is determined based on coordination with City staff.

3.4 Revised plans should reflect the removal of the concrete retaining wall and another other impacts to the property at 33-35 Canal Street based on agreements with that property owner for construction of the 10 ft wide path.

3.5 Staff recommends that the applicant provide elevations and details for proposed structures for review and comment once the design is determined.

3.6 Staff requests that the applicant provide turning movement plans.

Prepared by: BAF

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